



CERTIFICATE OF EXPRESS MAILING

EXPRESS MAIL LABEL NO: EL615212572US

DATE OF DEPOSIT: June 26, 2003

I hereby certify that this transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee," under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Beverly A. Lee
Beverly A. Lee

RECEIVED

JUL 07 2003

TECH CENTER 1600/2900

In re application of: Mark Roland Boeder

Art Unit: 1661

Appl. No.: 09/957,490

PTO Confirmation No.: 3149

Filed: September 19, 2001

Examiner: Kizilkaya, Michelle, R.

For: Chrysanthemum Plant Named 'Stellar Time'

Atty. Docket: 10451.0028.NPUS00

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying PTO Form 1449 is information that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on the accompanying PTO Form 1449 is a continuation of the numbering in Applicant's Information Disclosure Statement filed December 18, 2001 and First Supplemental Information Disclosure Statement filed on September 27, 2002, in connection with above-captioned application. This statement is filed pursuant to 37 C.F.R. § 1.97(c) and is accompanied by the fee set forth in § 1.17(p).

07/02/2003 SDENB0B1 00000029 083038 09957490

01 FC:1806 180.00 DA

Applicant wishes to correct a statement in Applicant's First Supplemental Information Disclosure Statement filed September 27, 2002, to the effect that Applicant is not aware of any public distribution, sale or offer to sell of this variety in the United States prior to the filing date of the instant patent application. A further review of sales records for the variety 'Stellar Time,' indicates that the variety was sold in the United States prior to the U.S. application filing date but the sales occurred less than one year before the U.S. application date. Applicant is not aware of any public distribution, sale or offer to sell of this variety in the United States more than one year prior to the filing date of this patent application.

Applicant further notes this correction regarding sales of the 'Stellar Time' variety that occurred less than one year prior to the U.S. application filing date, also applies to the Applicant's Amendment and Response to Office Communication Mailed December 18, 2002, filed by the Applicant on May 19, 2003, to the extent that the Applicant relied on the earlier statement of no sales in the United States prior to the filing date of the U.S. application.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided here, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98, and the Manual of Patent Examining Procedures §609. If for some reason the

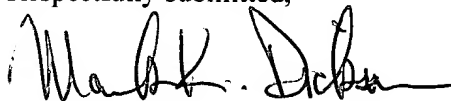
Examiner considers otherwise, or requires additional information, Applicant requests that the Examiner call the undersigned so that any deficiencies can be remedied.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO Form 1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Should any additional fees be required for any reason relating to this application, the Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 08-3038, referencing Docket No. 10451.0028.NPUS00.

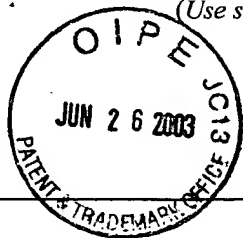
Dated: June 26, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark K. Dickson". The signature is fluid and cursive, with the first name "Mark" being more prominent.

Mark K. Dickson
Attorney Reg. No. 32,889
HOWREY SIMON ARNOLD & WHITE, LLP
301 Ravenswood Avenue
Menlo Park, CA 94025
(650) 463-8234

LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i> PTO FORM 1449	ATTY. DOCKET NO.	APPLICATION NO.
	*10451.0028.NPUS00	*09/957,490
	APPLICANT	
	*MARK ROLAND BOEDER	
	FILING DATE	GROUP
	* September 19, 2001	*1661



U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.						
	2.						
	3.						
	4.						

FOREIGN PATENT DOCUMENTS								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	5.							
	6.							
	7.							

OTHER REFERENCES	
<i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>	
	8.
	9.
10.	Applicant acknowledges that the instant variety 'Stellar Time' was sold in the United States less than one year prior to the U.S. application filing date. Applicant is not aware of any public distribution, sale or offer to sell of this variety in the United States more than one year prior to the filing date of the U.S. application.
	11.
	12.
	13.
	14.
	15.
	16.
	17.
	18.

RECEIVED
 JUL 07 2003
 TECH CENTER 1600/2900

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with **MPEP 609**; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.